

House File 504 - Introduced

HOUSE FILE 504

BY FINKENAUER

A BILL FOR

1 An Act concerning absences from work by members of the
2 military.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 29A.43, subsection 1, Code 2017, is
2 amended to read as follows:

3 1. A person shall not discriminate against any officer or
4 enlisted person of the national guard or organized reserves
5 of the armed forces of the United States or any member of the
6 civil air patrol because of that membership. An employer,
7 or agent of an employer, shall not discharge a person from
8 employment because of being an officer or enlisted person of
9 the military forces of the state or member of the civil air
10 patrol, or hinder or prevent the officer or enlisted person or
11 member of the civil air patrol from performing any military
12 service or civil air patrol duty the person is called upon
13 to perform by proper authority. A member of the national
14 guard or organized reserves of the armed forces of the United
15 States ordered to temporary duty or service, as defined in
16 section 29A.1, subsection 3, 8, or 12, or a member of the
17 civil air patrol performing duty pursuant to [section 29A.3A](#),
18 for any purpose is entitled to a leave of absence during
19 the period of the duty or service, from the member's private
20 employment unless the employment is of a temporary nature.
21 Upon completion of the duty or service, the employer shall
22 restore the person to the position held prior to the leave of
23 absence or employ the person in a position of like seniority,
24 status, and pay. However, the person shall give evidence to
25 the employer of satisfactory completion of the duty or service,
26 and that the person is still qualified to perform the duties
27 of the position. The period of absence shall be construed as
28 an excused absence with leave, and shall in no way affect the
29 employee's rights to vacation, sick leave, bonus, or other
30 employment benefits relating to the employee's particular
31 employment or be considered an absence that would affect the
32 employee's rights for any bonus or other employee benefit
33 provided by the employer based on attendance at work.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill concerns absences from work by members of the
3 military.

4 Code section 29A.43, concerning leaves of absence from
5 employment by any officer or enlisted person of the national
6 guard or organized reserves of the armed forces of the United
7 States or any member of the civil air patrol, is amended. The
8 bill provides that any absence from work based on that military
9 membership shall be considered an excused absence with leave
10 and shall not be considered an absence that would affect the
11 employee's rights for any bonus or other employee benefit
12 provided by the employer based on attendance at work.